

FILED - USDC -NH
2023 SEP 8 AM 10:58

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Charles Greenhalghn, INDIVIDUALLY

Docket 22-cv-340LM

RESPONSE TO JUDGMENT DATED AUGUST 17, 2023

MOTION FOR SUMMARY JUDGMENT FOR

LACK OF PROBABLE CAUSE

IN REGARDS TO THE DEFENDANTS VIOLATION

OF THE PLAINTIFF'S FEDERAL CIVIL RIGHTS

1. In her Report and Recommendation Magistrate Johnstone stated :

"All of the claims in this action concern "JUDGE" Greenhalgh's actions during the November 2019 criminal proceedings against Mrs. Amatucci." "Regarding Amatucci's claims thaty her state court conviction is void because it is based on fraud, and because 'JUDGE" Greenhalgh lacked jurisdiction to her the case or convict her".

2. Hellooooo Judge Johnstone, this lawsuit is not about a judge.

3. It appears that the Magistrate preferred to ignore my claims regarding the violation of my civil rights, of the unlawful Complaint filed by the Belnap Sheriff's Dept. accusing me of the crime of an Assault with Bodily Injury.

4. And without ever deciding these claims on the merits which is required for res judicata to apply, Magistrate Johnstone is doing what the Magistrate's do, according to Alan Deshowitz who states,

"The American Justice system PERVERT the meaning of cases and IGNORE the arguments made. Dishonesty is indeed inherent in the system of deciding cases, in a corruption which lies in the process. There is a conspiracy of silence that shrouds the American Justice System, where the public is deprived of a realistic assessment. Most judges have very little interest in judging....they have their OWN AGENDA of DISTORTION, and other forms of intellectual dishonesty, which is epidemic."

5. The MagistrateIGNORED (in a conspiracy of silence) the unlawful Malicious Prosecution Complaint filed by the Belnap Sheriff's dept, ignored Greenhalgh's violation of Due Process when he refused to rule on her Motion to Dismiss which would mandated him to dismiss the case. Ignored that Greenhalgh lost jurisdiction when he violated Due Process, and ignored that where he lost jurisdiction in the case, his judgments at the November 2019 criminal proceedings were..... VOID OF NO LEGAL FORCE. Therefore, the question is how can Judge McCafferty after "DUE CONSIDERATION" approve the VOID OF NO LEGAL FORCE judgments of Greenhalgh. And how can Judge McCafferty dismiss the case in its entirety, that was based on the trial that was based on Greenhalgh'sVOID JUDGMENTS.

6. Therefore, the Court cannot "CONSIDER" VOID JUDGMENTS of Greenhalgh. And when the Judge stated that the case is dismissed in its entirety, of course the judge did not include the Plaintiff's unlawful Malicious Prosecution claim and the violation of Due Process claim, which was never ruled on by the court on the "merits". As the evidence submitted in the case files, record, proves an unlawful prosecution, by the Belnap Sheriff's Dept. evidence that was before Greenhalgh in the form of a statement made by the alleged victim of an alleged Assault, stating "HE HAD NO INJURY"

although the Plaintiff was being prosecuted for causing an Assault with Bodily Injury.

7. There is NO DISPUTE..... that the Plaintiff has a civil rights claim for the unlawful prosecution, without probable cause. under color of law, where it was prosecutor Estes, under color of law who falsely and "maliciously" WITHOUT PROBABLE CAUSE..... MALICIOUSLY violated the Plaintiffs civil rights, a clearly established right. An established Fourth Amendment unlawful seizure of her liberty rights, and a violation of Due Process and equal protection under the law.

8. That when the Judge stated the word "entirety" to dismiss the case, it must be assumed that she was only ruling on what occurred at the trial, ruling on Greenhalghn's judgments at the trial, that "entirely" did not/cannot include the unlawful Malicious Prosecution claims and law, and the violation of Due Process by Greenhalgh when he refused to litigate and rule on her Motion to Dismiss, all which happened before the trial, at another date, regarding a different claim. No Res Judicata.

9. The Plaintiff claims a violation of the Fourth Amendment of an unlawful seizure of her liberty rights, when she had to attend the court hearings, a violation Due Process, a violation of Equal Protection.

10. The Plaintiff is not challenging Greenhalghn's rulings and decision's made at the trial, as they are automatically VOID OF NO FORCE, but she challenges his violation of her civil rights and the Belnap Sheriffs violation's of her civil rights, all that occurred before the criminal proceeding of November 2019.

11. The defendant in this case is NOT A JUDGE, Greenhalghn is being sued as an individual, without jurisdiction and without immunity, when he violated the Plaintiff's civil rights in malice. That there is no immunity when there is a MALICIOUS violation of one's civil rights.

12. And wherethe " CONSIDERATION" by the judge in the Report and Recommendation does not/cannot include the actions of Greenhalghn before the November 2019 criminal proceeding at trial, there is no identify and therefore NO RES JUDICATA, and the claims are still active.

13. And where the Report and Recommendation was based on void judgments made by Greenhalghn in his INDIVIDUAL CAPACITY, the judgments made in the Report and Recommendation are also VOID OF NO LEGAL FORCE.

14. And with the evidence of the violations of her Civil Rights in this case this Court has no discretion but to allow the Plaintiff her right under 1983 UNDER THE LAW OF THE LAND, to the right to a jury trial for damages, and in a SPEEDY MANNER ...as allowed under the SIXTH AMENDMENT, especially where the Plaintiff is an elderly person.

Respectively,

Josephine Amatucci

c. Greenhalghn, Town, Belnap Sheriff's

Josephine Amatucci
SEPTEMBER 1, 2025

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